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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/607,195	06/28/2000	Pradeep Bahl	204205	7584

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EXAMINER

DADA, BEEMNET W

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/607,195	Applicant(s) BAHL ET AL.	
	Examiner Beemnet W. Dada	Art Unit 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 13, 2006 has been entered. Claims 1 and 12 have been amended. Claims 1-33 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 12, 15 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Ala-Laurila et al US Patent 6,704,789 (hereinafter Ala-Laurila).

5. As per claims 12, 15 and 19 Ala-laurila teaches a method for controlling access to a network by a wireless client (see figures 4 and 5), the method comprising

receiving a request for a network address from the wireless client [steps DHCP SOLICIT, figures 4 & 5];

attaching information to the request to indicate that the request originated from a wireless client [USER ID attached to the DHCP SOLICIT, figures 4 and 5];

relaying the request to the address server [figure 4, 5, units 24 & 14];

receiving an assignment of an address from the address sever [DHCP ADVERTISE of fig 4 and DHCP OFFER & IP ADDRESS of figure 5], the address having lease time [column 9, lines 14-33];

relaying the assignment of the address to the wireless client [RELAY 24 and SERVER 14 of figures 4 and 5];

negotiating the establishment of a secure link with the wireless client using the assigned address, and using the assigned address to communicate with the wireless access point [MESSAGE + IPSEC AUTH, of figures 4 and 5 and column 7, lines 46-56].

6. Claims 9, 11, 17, 21, 22, 24-27, 29, and 30 are rejected under 35 U.S.C. 02(b) as being anticipated by Lim et al. US Patent 5,884,024 (hereinafter Lim).

7. As per claims 9 and 17 Lim teaches a method for controlling access to a network by a wireless client, the wireless client using an assigned network address having a lease period to communicate with the network, the method comprising:

engaging in a negotiation of a secure link with the wireless client [column 7, lines 21-30];

communicating with an address server of the network to determine whether the lease period of the leased network address has expired [column 8, lines 33-55];

if the lease period is determined to be expired, terminating the negotiation, thereby preventing the wireless client from accessing the network [column 8, lines 38-55].

8. As per claim 21 and 26 Lim teaches on a wireless client, a method for gaining access to a network, the method comprising:

broadcasting a request for an address on the network [column 7, lines 21-30];

receiving an assignment of a leased address from the network, the lease address having a lease time [column 8, lines 36-44];

negotiating a secure link with the network before the lease time expires [column 8, lines 33-55].

9. As per claim 11, Lim further teaches the method wherein the address server is a DHCP server [column 2, lines 46-51].

10. As per claims 22 and 27 Lim further teaches the method wherein the request for an address is broadcast as a DHCP discover packet [column 9, line 35-45].

11. As per claim 24, 25, 29 and 30, Lim further teaches the method wherein the negotiating step further comprises:

generating an ARP packet having the lease address, and in response to the ARP generation, initiating a negotiation of the secure link with network [column 7, lines 40-56].

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 1-8 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordman US Patent 6,061,346 in view of Garrett et al. US 20020023160 A1 (hereinafter Garrett).

14. As per claims 1, 6 and 31-33 Nordman teaches a method for controlling access to a network by a wireless client, the method comprising:

assigning a network address to the wireless client, wherein the network address has a lease period [column 4, lines 13-22];

sending the assigned network address to the wireless client and establishing secure link [column 7, line 53 – column 8, line 5];

sending an address of a wireless access point to the wireless client, wherein the wireless access point is adapted to handle the secure link established by the wireless client [column 8, lines 12-23 and lines 57-67]. Nordman teaches sending assigned network address to the wireless client. Nordman is silent on sending the assigned network address to the wireless client prior to establishing a secure link. However, within the same field of endeavor Garrett teaches assigning a network address, sending the assigned network address to the client prior to establishing a secure link and establishing a secure link using the assigned network address (figure 9, steps 902-907, note that authentication at steps 904-906 is performed after the

address is assigned and provided to the client at steps 902 & 903). Both Nordmand and Garrett teach a method of controlling access to a network. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teaching of Garrett within the system of Nordman in order to allow authorized use of IP address and further enhance security of the system.

15. As per claims 2 and 7, Garrett further teaches the method wherein the assigned network address and the wireless access point address are sent to the wireless client in a DHCP offer packet [see figure 5].

16. As per claims 3 and 8, Nordman further teaches secure IP tunneling [column 8, lines 8-22].

17. As per claims 4 and 5, Nordman further teaches sending network address via a wireless access point [column 4, lines 4-22].

18. Claims 13, 14, 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ala-Laurila et al US Patent 6,704,789 in view of Inoue et al. US Patent 6,510,153 (hereinafter Inoue).

19. As per claims 13, 14, 16 and 20, Ala-Laurila teaches the method for controlling access to a network by a wireless client as applied to claim 12 above. Ala-Laurila is silent on broadcasting an ARP packet to check whether there are any other clients having the same assigned address of the wireless client. However, Inoue teaches a mobile IP communication scheme, including

broadcasting an ARP packet to check whether there are any other clients having the same assigned address of a wireless client and if a response to the ARP is received, terminating the negotiation, thereby denying the wireless access to the network [column 8, lines 34-57 and figures 5 & 12]. It would have been obvious to one having ordinary skill in the art to employ the teaching of Inoue within the system of Ala-Laurila in order to prevent duplicate assignment of IP addresses.

20. Claims 10, 18, 23 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lim US Patent 5,884,024 in view of Ala-Laurila et al US Patent 6,704,789.

21. As per claims 10, 18, 23 and 28 Lim teaches the method as applied to claims 9 and 21 above. Lim is silent on IPSEC tunneling. However security using IPSEC tunneling is well known in the art. For example within the same field of endeavor Ala-Laurila teaches a secure DHCP server including negotiating of an IPSEC tunnel [column 7, lines 46-56]. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of Ala-Laurila within the system of Lim in order to further enhance security of the system.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

March 16, 2006



**KIM VU**  
**SUPERVISORY PATENT EXAMINER**  
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